

12.141 NARCOTIC DETECTION CANINES

Reference:

Procedure 12.140, Canine Operations
Procedure 12.545, Use of Force
U.S. Supreme Court Decision, *Illinois v. Caballes*
U.S. Supreme Court Decision, *U.S. v. Ross*

Policy:

Narcotic detection canines are extremely effective when used within the boundaries set by the courts.

Obtain a search warrant or consent to search before using narcotic detection canines to sniff areas where defendants have the right to privacy; e.g., homes, places of residence.

An officer does not need reasonable suspicion for a dog to sniff the outside of an automobile during a traffic stop. However, a traffic stop can become unlawful if the officer prolongs the stop beyond the time reasonably required to issue a traffic citation.

When specific, articulable facts cause an officer to suspect illegal drug activity has occurred, is occurring, or is about to occur, then the car and occupants can be detained so that a narcotic detection canine can sniff the outside of the car. If the canine alerts to contraband inside the car, probable cause now exists to search the passenger area of the car and any containers within the passenger area without a search warrant. If the canine alerts to contraband in the trunk, the trunk and any containers within the trunk may be searched without a search warrant.

A narcotic detection canine may sniff an area to gain probable cause for obtaining search warrants for private property in public places; e.g., lockers in bus terminals and schools (with permission of person in charge).

Narcotic detection canines are not infallible. Their effectiveness depends on the intelligent use of their capabilities by department personnel. Handlers will maintain control of the canine and be diligent to ensure the safety of the general public.

Procedure:**A. Use of Narcotic Detection Canines**

1. Narcotic detection canines and handlers are assigned to Central Vice Control Section (CVCS) and are normally available from 1100 to 0300 hours. If Cincinnati Police Department narcotic detection canines are not available, request the use of RENU narcotic detection canines.
2. Cincinnati Police Department narcotic detection canines will be primary responders. The canines are to be utilized to develop probable cause in compliance with search and seizure standards. The canine handlers will provide information for best application of the canine.
 - a. When a narcotic detection team is not working, PCS will contact a CVCS supervisor for recall of a narcotic detection canine team.
3. Only assigned handlers will conduct searches with narcotic detection canines.
 - a. The handler is responsible for the safe and effective use of the narcotic detection canine.
4. Narcotic detection canines can detect the following substances:
 - a. Cocaine/Crack
 - b. Heroin
 - c. Hashish
 - d. Marijuana
 - e. Opium
 - f. Methamphetamine
 - g. Ecstasy

B. Building Searches

1. Secure the search area.
 - a. All officers will remain out of the area to be searched until notified by the canine handler the search is completed.
2. Remove all persons and animals from the search area.
 - a. If unable to remove persons/animals, place them in one restricted area.

3. Do not follow or get close to the canine when he is working unless requested by the handler.
4. Advise the handler of anything that could injure the canine; e.g., needles, broken glass, drugs in plain view, etc.
5. Keep noise to a minimum when the canine is searching.

C. Persons Injured by Narcotic Detection Canines

1. A supervisor will complete necessary reports in accordance with Procedure 12.140.
2. A RENU supervisor will report canine bites involving Cincinnati Police Department narcotic detection canines assigned to RENU on a Form 18C, Use of Canine. If a RENU supervisor is unavailable, a shift supervisor will complete the report.
3. A police supervisor will complete a Form 91SP, Supervisory Investigation of Employee Injury, in addition to a Form 316, if a Police Department employee is injured by a narcotics detection canine.
 - a. If the police officer's supervisor is unavailable, a supervisor from the district where the injury occurred will complete the report.

D. Prohibited Use

1. Do not use narcotic detection canines to search people.
2. A narcotic detection canine's reaction on finding narcotics is normally aggressive. Therefore, do not engage narcotic detection canines in covert or undercover searches.
3. Narcotic detection canines are trained to interact and communicate exclusively with their handlers.
 - a. Police personnel are not to tease, pet, feed, or interact with these canines, since these actions can reduce their effectiveness.

E. Reports

1. Handlers of department owned canines will maintain a continuous record of all instances of narcotic detection canine usage.
 - a. RENU will maintain all records concerning RENU owned canines.